

# Exhibit “PP” to Amended Verified Petition

Planning Board Meeting  
August 27, 2001  
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Mehlon Trucking - Lead Agency Determination

Chairman Trapini stated one item that is not on the agenda is simply to ask for a motion that the Board declare Lead Agency for the Mehlon Trucking.

Attorney Hoyt asked are you going to declare Lead Agency or were you going to have the D.E.C. do it?

Chairman Trapini stated the D.E.C. has asked for Lead Agency, and we don't have any opposition to that.

Attorney Hoyt stated Mehlon Mine up on Kings Hill, about ten years ago this Board resolved to be the Lead Agent. Since that time it has been the practice of the Board to let the D.E.C. do their thing, and then you held a Public Hearing, the applicant having satisfied the D.E.C. The D.E.C. will not act on Mehlon's application any further because they have a letter from you from 10 years ago where you said you will do SEQRA. They told Mr. Mehlon to have the Planning Board do it, or have the Planning Board send a letter giving up that jurisdiction. They will do it. Either way, I would advise the applicant's Attorney, it's my sense that you will want to go back to another Public Hearing. It's been 10 or 11 years, and the room was quite full at the time, in the old Town Hall.

Chairman Trapini stated it's to send a letter to the D.E.C. stating that they be the Lead Agency.

Attorney Hoyt stated and refer the matter back to your Board when they are done.

Motion by Board Member Kelly, seconded by Board Member Crist to send the D.E.C. a letter stating that the D.E.C. be Lead Agent. All in Favor - All Ayes - Motion Carried.

Approval of Minutes for August 13, 2001

Motion by Board Member Schloemer, seconded by Board Member Kelly, to approve the minutes of the August 13th meeting, as submitted. All in Favor - All Ayes - Motion Carried.

Motion by Board Member Mills, seconded by Board Member Pennings, to adjourn the meeting.

All in Favor - All Ayes - Motion Carried.

Respectfully submitted,

*Janice Lennon*  
Janice Lennon,  
Recording Secretary